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1The following information is provided pursuant to the People's obligations under CPL §245.20(k) and is obtained from the files of the Queens County District Attorney's Office as well as from data maintained by the New York City Police Department. Additionally, in a spirit of full disclosure consistent with our obligations under CPL §§245.20(7) and 245.55, additional material obtained from non-law enforcement sources may also be included below. The fact that this additional information is hereby disclosed is not to be taken as a concession that its disclosure is compelled under CPL Article 245.

The information below pertains to **MOS Thomas Cappolla Tax No. 929824** whom the People intend to call as a witness in the above captioned hearing/trial:

1Civil Litigation:

THE ABOVE MOS WAS LISTED AS A DEFENDANT IN THE FOLLOWING CIVIL LAWSUITS:

1. Pierre, Joenald v. City of New York, INDEX NO. 14CV07391, EDNY

NYPD Disciplinary Information:

THE PEOPLE ARE AWARE OF THE FOLLOWING SUBSTANTIATED, UNSUBSTANTIATED, OR PENDING DISCIPLINARY ALLEGATIONS, OR LAB NON-CONFORMANCES ALLEGATIONS AGAINST THIS OFFICER:

1. Disclosure

DATE : 3/18/2004
SERIAL NUMBER : C04-0235
ALLEGATION: MISSING PROPERTY FROM PRISONER
DISPOSITION: UNSUBSTANTIATED
CASE CLOSED: 04/13/05

2. Disclosure

DATE : 7/4/2004
SERIAL NUMBER : C04-0600
ALLEGATION: LAB EVIDENCE DISCREPENCY
DISPOSITION: UNSUBSTANTIATED
ALLEGATION: MISSING PROP FROM PRISONER
DISPOSITION: UNSUBSTANTIATED

3. Disclosure

DATE : 4/26/2007
SERIAL NUMBER : C07-0332
ALLEGATION: FADO-UNNECESSARY FORCE
DISPOSITION: UNSUBSTANTIATED

CASE CLOSED: 1/1/09

4. Disclosure

DATE : 3/16/2011

SERIAL NUMBER : C11-0222

ALLEGATION: MISSING PROP-PREMISE

DISPOSITION: UNSUBSTANTIATED

CASE CLOSED: 8/24/11

5. Disclosure

DATE : 6/28/2013

SERIAL NUMBER : M13-1909

I/A 13-1909 JUNE 28 2013

ALLEGATION: MISSING PROPERTY-FROM PRISONER

DISPO: UNSUBSTANTIATED

ALLEGATION: DRV-OTHER DEPARTMENT RULES/PROCEDURES

DISPOSITION: SUBSTANTIATED. "A" CD-ISSUED

OVERALL DISPO: PART/SUBSTANTIATED

CASE CLOSED: 12/24/2013.

6. Disclosure

DATE : 4/19/2021

IAB LOG # : 21-8745

ICMT CASE # : OG21-4620

REFERRED TO : 348 - DET BORO QNS SOUTH OPER

ALLEGATION : MOS PARKING CONDITION - NOT VICINITY OF DEPT FACILITY - DEPARTMENT VEHICLE

DISPOSITION: SUBSTANTIATED

CLOSED DATE : 2021-05-27

ACTION TAKEN : VERBAL OF INSTRUCTIONS

Civilian Complaint Review Board Disciplinary Information:

FOR CCRB DISCIPLINARY INFORMATION SEE THIS OFFICER'S SEPARATELY PROVIDED CCRB DOCUMENT WHICH DISCLOSES ANY CCRB INFORMATION THE PEOPLE HAVE ON SUBSTANTIATED, UNSUBSTANTIATED, PENDING, AND OTHER MISCONDUCT NOTED (OMN) ALLEGATIONS. NOTE, OMN ALLEGATIONS DENOTE POTENTIAL MISCONDUCT OF WHICH CCRB DID NOT HAVE JURISDICTION OVER.

Please note, additional information regarding lawsuits may be available from a variety of public data bases including <https://www1.nyc.gov/site/law/public-resources/nyc-administrative-code-7-114.page> , <https://pacer.uscourts.gov/> , <https://iapps.courts.state.ny.us/webcivil/FCASMain> , and <https://iapps.courts.state.ny.us/nyscef/Login> ; additional CCRB information may be available at <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page> ; and, additional NYPD disciplinary information may be available at <https://nypdonline.org/link/2> .

The People reserve the right to move in *limine* to preclude or limit reference to this information in any further proceedings in this prosecution.

Melinda Katz
District Attorney
Queens County